

EXHIBIT 1

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 BOARHEAD FARM AGREEMENT CIVIL ACTION NO.
4 GROUP, 02-CV-3830
Judge Legrome D. Davis

5 Plaintiff, VOLUME I
Oral Deposition of

6 vs. JOHN P. LEUZARDER, JR.
7 ADVANCED ENVIRONMENTAL TECHNOLOGY
8 CORPORATION; ASHLAND CHEMICAL
9 COMPANY, BOARHEAD CORPORATION;
10 CARPENTER TECHNOLOGY CORPORATION;
11 CROWN METRO, INC.; DIAZ CHEMICAL
12 CORPORATION; EMHART INDUSTRIES,
13 INC.; ETCHED CIRCUITS, INC.; FCG,
14 INC.; GLOBE DISPOSAL COMPANY, INC.;
15 GLOBE-WASTECH, INC.; HANDY & HARMAN
16 TUBE COMPANY, INC.; KNOLL, INC.;
17 MERIT METAL PRODUCTS CORPORATION;
18 NOVARTIS CORPORATION; NRM INVESTMENT
19 COMPANY; PLYMOUTH TUBE COMPANY;
20 QUIKLINE DESIGN AND MANUFACTURING
21 COMPANY; RAHNS SPECIALTY METALS,
22 INC.; ROHM & HAAS COMPANY, SIMON
23 WRECKING COMPANY, INC.; TECHALLOY
24 COMPANY, INC.; THOMAS & BETTS
25 CORPORATION; UNISYS CORPORATION;
UNITED STATES OF AMERICA
DEPARTMENT OF NAVY,

Defendants.

18 * * * * *
19 MONDAY, NOVEMBER 29, 2004
20 * * * * *

21 Transcript in the above matter taken at
22 the offices of WOLFF & SAMSON, PC, The Offices at
23 Crystal Lake, One Boland Drive, West Orange, New
24 Jersey, commencing at 10:30 a.m.

25 Certified Shorthand Reporting Services
Arranged Through
Mastroianni & Formaroli, Inc.
709 White Horse Pike
Audubon, New Jersey 08106
(800) 972-3377

1 THE WITNESS: Yeah, it wasn't -- I
2 wasn't having trouble. They were asking me can you
3 help us, our facilities are basically going to be
4 shut down unless you can find -- help us find an
5 alternative.

6 MS. MOONEY: Let's go off the record
7 for a second.

8 (Off-the-Record Discussion)

9 BY MS. MOONEY:

10 Q. So at the point in time that AETC
11 discovered DeRewal, was Ashland already a customer of
12 AETC's?

13 (OBJECTION) MR. SABINO: Objection to the form of
14 the question. AETC discovered DeRewal, I object to
15 it. Go ahead.

16 BY MS. MOONEY:

17 Q. You can answer.

18 A. Too vague. I just know that our friend
19 Art Curley had asked us to -- we were doing a couple
20 things up there, I don't remember exactly what they
21 were. And he had mentioned that he had this
22 difficult problem with this oxidizing acid and was
23 either telling us that he thought he had found
24 somebody to do it but he wasn't sure or did we know
25 of somebody that could do it. And I know that what

1 primary contact between AETC and Ashland Chemical
2 Company?

3 A. Yes.

4 Q. And when did your relationship with
5 Ashland start?

6 A. Probably prior while I was with Gaess
7 Environmental.

8 Q. Was Ashland a customer of Gaess?

9 A. Yes, I believe so, but I cannot be sure.

10 Q. Do you recall if you had any dealings
11 with Ashland while you were at Gaess?

12 A. It's very vague in my recollection.

13 Q. How did Ashland become a customer of
14 AETC?

15 A. I was a salesman and I had called on
16 Ashland while with Gaess after we were let go, I
17 continued as a salesman to make contact with Ashland
18 and Art Curley, who I had a good relationship with
19 and things would come up. He would ask questions
20 about this or that. And it was when he identified
21 this acid stream that he was looking for a disposal
22 facility for that I think that relationship started
23 sometime in 1976.

24 Q. Do you recall what month?

25 A. No.

1 fill out the information on these bills of lading?

2 A. Yes.

3 Q. Was that a legal requirement?

4 A. Yes, as far as I know at that time. I
5 don't know how things were exactly then, but I
6 believe so.

7 Q. That's all I have on that one.

8 (Exhibit Leuzarder-3, Letter 9/28/76 Bates
9 stamped AETC 13-15, is marked for identification)

10 BY MS. MOONEY:

11 Q. I'm showing you a document marked
12 Leuzarder-3 that's produced by your attorneys in
13 response to discovery requests. It's AETC 13 through
14 15. If you could just take a minute and look over
15 that. I know it's hard to read.

16 MR. SABINO: Are you having trouble
17 with some of the words? He's having trouble with
18 some of the words, just so you know.

19 MS. MOONEY: It's hard to see it.

20 THE WITNESS: Okay.

21 BY MS. MOONEY:

22 Q. This document is a copy of a proposal
23 that's signed -- actually, it's not signed by you.
24 It is typed sincerely and there's a blank space and
25 it says John B. Leuzarder, technical service rep. Do

1 Q. Do you think they stand for DeRewal?

2 (OBJECTION) MR. BIEDRZYCKI: Object to the form.

3 THE WITNESS: I don't think so.

4 BY MS. MOONEY:

5 Q. In the paragraph under bulk streams A
6 price is crossed out, the 47 cents a gallon and above
7 it is written .4473 cents a gallon, is that your
8 handwriting?

9 A. It appears to be.

10 Q. Do you know why 47 cents a gallon was
11 crossed out and replaced with .4473?

12 A. No.

13 Q. What about next to that where it says
14 REV 8/9, 1,275?

15 A. That looks like the extension of
16 44.73 times 2850. In other words, a reduced price
17 that looks like it was done at the same time on 8/9
18 that would be September 9th it looks like, is that
19 September 8 or is that August?

20 Q. August.

21 A. So August 8th apparently there might
22 have been a negotiation of the price or something, I
23 don't know or discussion of the price and the number
24 was changed.

25 Q. You mean August 9th?

1 A. On August 9th, yes.

2 Q. And REV?

3 A. Revised.

4 Q. Revised. Underneath that it says
5 aqueous treatment at Modern Transportation, South
6 Kearny and there's an "x" through aqueous treatment
7 and Kearny, do you know why that "x" appears there?

8 A. I think Modern Transportation got shut
9 down at some point or we were concerned about it and
10 that may be the reason why.

11 Q. How about the striking of 9.5 cents a
12 gallon and replacement with .0875 cents a gallon, do
13 you know why that was done?

14 A. No.

15 Q. That seems to be a pretty substantial
16 decrease in price.

17 (OBJECTION) MR. BIEDRZYCKI: Object to the form.

18 THE WITNESS: Yes, it's three quarters
19 of a cent, but I don't know.

20 BY MS. MOONEY:

21 Q. How about -- well, going back to that
22 "x", are you saying that that indicates that's no
23 longer being done?

24 (OBJECTION) MR. BIEDRZYCKI: Object to the form.

25 THE WITNESS: I don't remember why